

### REMARKS

Claims 11-16 are pending in the application, with claims 11, 12, 13 and 15 being independent. Claims 13-16 have been amended for clarity. No new matter has been introduced.

Claims 11-16 have been rejected as being anticipated by Sano (U.S. Patent No. 5,694,188). Applicant again requests reconsideration and withdrawal of this rejection because Sano does not describe or suggest a light modulating layer that includes a liquid crystal, an optically active substance, and a dichroic dye, as recited in each of independent claims 11, 12, 13 and 15.

In response to this argument, which was presented in the prior response, the rejection notes "Sano discloses the use of a layer that includes a liquid crystal, an optically active substance [cholesteric (col. 1 lines 40-41) or isotropic fluid (col. 11 lines 66-67)], and a dichroic dye." Applicant respectfully submits that neither of these passages describes or suggests a light modulating layer that includes the recited three materials (i.e., a liquid crystal, an optically active substance, and a dichroic dye). Rather, the recitation of "cholesteric" at col. 1, lines 40-41, is merely for the purpose of identifying a perceived problem of a White-Taylor guest-host type LCD device in which a chiral nematic liquid crystal is used as the host, in order to compensate the performance of a dichroic dye. In particular, the recitation states that the device is operated such that "a cholesteric/nematic phase transition is utilized." This passage nowhere indicates that an optically active substance is added to the other two materials (i.e., the liquid crystal and the dichroic dye).

The recitation of "isotropic fluid" at col. 11, lines 66-67, references the material that serves as a p-type dichroic dye that is combined with a n-type liquid crystal. This passage nowhere indicates that an optically active substance is added to the other two materials (i.e., the n-type liquid crystal and the p-type dichroic dye).

Accordingly, for at least these reasons, the rejection should be withdrawn.

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Enclosed is a \$120.00 check for the One-Month Extension of Time fee. Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: \_\_\_\_\_

5/4/05



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